

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI
PROBATE DIVISION

)	
In the Matter of the)	
Richard H. Goldstein Trust)	
)	
Richard H. Goldstein,)	
Plaintiff)	
)	
v.)	Cause No.1322-PR00895
)	
Bank of America, N.A. d/b/a)	
U.S. Trust, et al,)	
Defendants.)	
)	
)	

AMENDED FINAL JUDGMENT

Plaintiff's Motion for Summary Judgment, Plaintiff's Motion for Summary Judgment regarding the Individual Defendant's Counterclaim, the Individual Defendants' Cross-Motion for Summary Judgment, and Bank of America's Motion for Judgment under Section 456.4-420 Regarding Counts I and V of Plaintiffs Proposed Future Petition heard and submitted on February 10, 2015. Upon consideration of the arguments presented by all parties and a thorough review of the voluminous Motions and Memorandum submitted, in support thereof, the Court finds as follows:

The Proposed Amended Petition for Declaratory Judgment, filed on October 20, 2014, seeks to impose liability on the Defendants for actions taken in their roles as Trustees of the Samuel R. Goldstein Living Trust. As such the Petition seeks to invalidate or annul provisions of the Trust which set forth the duties of the Trustees. The Proposed Amended Petition fails to allege any gross neglect or fraudulent misconduct by the Defendants. There are no allegations the Defendants were dishonest, engaged in self-dealing or misappropriated trust assets. If filed, the Proposed Amended Petition would violate Section 8.2 of the Samuel R. Goldstein Living Trust and invalidate the Plaintiff's interest in said Trust.

The Plaintiff's Petition seeks only an interlocutory determination regarding whether the Petition would violate Section 8.2 of the Samuel Goldstein Living Trust if it were filed and the claims pursued. The simple request for

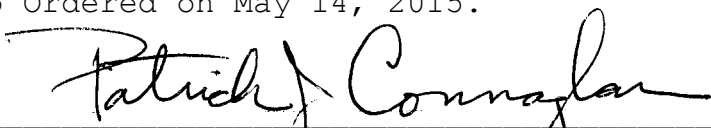
instructions from the Court does not result in a violation of Section 8.2.

It is therefore the Order and Judgment of the Court that:
The Plaintiff's Motion for Summary Judgment regarding the First Amended Petition is denied.

The individual Defendants' Cross Motion for Summary Judgment is denied.

Plaintiff's Motion for Summary Judgment regarding the Individual Defendant's Counterclaim and Bank of America's Motion for Judgment under Section 456.4-420 Regarding Counts I and V of Plaintiffs Proposed Future Petition are deemed moot.


So Ordered on May 14, 2015.



Patrick J. Connaghan, Commissioner MBE#31003

The above Order entered by the Commissioner is hereby confirmed.

So ordered on May 14, 2015.



Bryan L. Hettenbach
Judge of the Probate Division